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Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Afghanistan, Algeria, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Mauritania, Morocco, Qatar, Saudi Arabia, Somalia, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

Israeli practices affecting the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem

The General Assembly,

Recalling its relevant resolutions, including those adopted at its tenth emergency special session, and the resolutions of the Commission on Human Rights,

Bearing in mind the relevant resolutions of the Security Council, the most recent of which are resolutions 904 (1994) of 18 March 1994, 1073 (1996) of 28 September 1996 and 1322 (2000) of 7 October 2000,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[1] and the reports of the Secretary-General,[2]

Taking note of the report of the Human Rights Inquiry Commission established by the Commission on Human Rights[3] and the report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied by Israel since 1967,[4]

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* Reissued for technical reasons.
[1] A/56/428 and Add.1 and A/56/491.
[2] A/56/214-219.
[3] E/CN.4/2001/121.
[4] E/CN.4/2001/30.

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Aware of the responsibility of the international community to promote human rights and ensure respect for international law,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[5] to the Occupied Palestinian Territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Stressing the need for compliance with the Israeli-Palestinian agreements reached within the context of the Middle East peace process, as well as for the immediate and full implementation of the recommendations of the Sharm El-Sheikh Fact-Finding Committee (Mitchell report),

Noting that during the reporting period, the third agreed-upon phase of redeployment of the Israeli army has not been implemented, and that serious incursions into the areas under the full control of the Palestinian Authority have occurred,

Concerned about the continuing violation of the human rights of the Palestinian people by Israel, the occupying Power, including the use of collective punishment, closure of areas, annexation of land, establishment of settlements and the continuing actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including Jerusalem,

Deeply concerned by the tragic events that have occurred since 28 September 2000 and have led to numerous deaths and injuries, mostly among Palestinians, the severe restrictions on the movement of persons and goods, and the widespread destruction, including of agricultural land,

Convinced of the positive impact of a temporary international or foreign presence in the Occupied Palestinian Territory for the safety and protection of the Palestinian people,

Convinced also of the need for third-party monitoring to help the parties to implement the recommendations of the Sharm El-Sheikh Fact-Finding Committee,

Expressing its appreciation to the countries that participated in the Temporary International Presence in Hebron for their positive contribution,

Convinced of the need for the full implementation of Security Council resolutions 904 (1994), 1073 (1996) and 1322 (2000),

1. *Determines* that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[5] and contrary to the relevant resolutions of the Security Council, are illegal and have no validity;

[5] United Nations, *Treaty Series*, vol. 75, No. 973.

2. *Demands* that the measures and actions taken in violation of the Fourth Geneva Convention of 1949[5] cease immediately, including the practice of extrajudicial killings;

3. *Condemns* acts of violence, especially the excessive use of force by Israeli forces against Palestinian civilians, resulting in extensive loss of life, vast numbers of injuries and massive destruction;

4. *Demands* that Israel, the occupying Power, cease all practices and actions which violate the human rights of the Palestinian people;

5. *Stresses* the need to preserve the territorial integrity of all the Occupied Palestinian Territory and to guarantee the freedom of movement of persons and goods within the Palestinian territory, including the removal of restrictions on movement into and from East Jerusalem, and the freedom of movement to and from the outside world;

6. *Calls* for complete respect by Israel, the occupying Power, of all fundamental freedoms of the Palestinian people;

7. *Requests* the Secretary-General to report to the General Assembly at its fifty-seventh session on the implementation of the present resolution.